

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

NANCY DREW SUDERS)	CIVIL ACTION LAW
)	
Plaintiff)	
)	
vs.)	NO. 1:CV-00-1655
)	
ERIC EASTON, WILLIAM D.)	
BAKER, ERIC B. PRENDERGAST))	Judge Rambo
VIRGINIA SMITH ELLIOTT,)	
AND THE PENNSYLVANIA)	
STATE POLICE,)	JURY TRIAL DEMANDED
)	
Defendants)	

**PLAINTIFF'S CONCURRED IN MOTION FOR
ENLARGEMENT OF TIME NUC PRO TUNC**

- 1.) On or about January 31, 2005 plaintiff's Brief in Opposition to Defendants Motion in Limine were due.
- 2.) Plaintiff's counsel's staff erroneously thought the response was due on or before February 4, 2005 due to the wording in the Courts previous order, and inadvertently scheduled the response as due on February 4, 2005. The Court meanwhile ruled on the defendants request.
- 3.) Additionally Mr. Samuel C. Stretton Esquire was going to respond to defendants' motion in limine and became extremely ill missing work for the first time in 15 years and was not able to complete the response.

4.) Plaintiff's lead counsel, Don Bailey, is not available today due to scheduling problems and is out of the office all day, and would not be able to complete the response, and is requesting an enlargement of time until February 11, 2005 to respond to defendants' motion in limine.

4.) The enlargement of time is brief in duration and will not affect the trial schedule in this matter.

5.) Opposing Counsel Sarah Yerger Esquire graciously concurs in this request.

WHEREFORE the Court is respectfully requested to grant plaintiff's enlargement of time until February 11, 2005 (a Saturday) to file her Brief in Opposition to Defendants Motion in Limine already decided by the Court.

Respectfully Submitted,

By: s/Don Bailey
 4311 N. 6th Street
 Harrisburg, Pa 17110
 (717) 221-9500

CERTIFICATE OF CONCURRENCE

I, Don Bailey do hereby certify that I contacted opposing counsel Sarah Yerger and she concurs in plaintiffs request for an enlargement of time.

Respectfully Submitted,

By: s/Don Bailey
 4311 N. 6th Street
 Harrisburg, Pa 17110
 (717) 221-9500

CERTIFICATE OF SERVICE

I, Don Bailey do hereby certify that on this 9th day of February 2005 I served a true and correct copy of the following Document to the attorneys listed below by Electronic Means:

Sarah Yerger, Esquire
Senior Deputy Attorney General
Civil Litigation Section
15th Floor, Strawberry Square
Harrisburg, Pa 17108

Samuel C. Stretton, Esquire
601 South High Street
West Chester, PA 19381

RESPECTFULLY SUBMITTED,

BAILEY & OSTROWSKI

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